

REMARKS

As a preliminary matter, Applicants thank the Examiner for the allowance of claims 8-12. Claim 33 remains the only pending claim that is rejected.

Claim 33 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner asserts that the Specification does not disclose an orientation control element locally provided near an edge of the first substrate. Although Applicants do not agree that this assertion by the Examiner is entirely correct, Applicants thank the Examiner for identifying a typographical error in the claim. In rewriting the claim for clarification purposes in Amendment C, the phrase “...pixel electrode on said...” was inadvertently omitted from the language preceding the reference to the “...first substrate.” Applicants have amended this typographical error herein, and respectfully traverse the rejection at least in light of this correction. Applicants note that the Examiner has already identified that Figs. 4 and 13 of the present Specification fully support this claim language as it now correctly reads.

Claim 33 stands also rejected under 35 U.S.C. 102(b) as being anticipated by Yamahara et al. (U.S. 5,844,649). Applicants respectfully traverse this rejection because the Examiner has not identified within this single cited reference three separate and distinct orientation regulating forces, as featured in claim 33.

Claim 33 of the present invention features three separate and distinct orientation regulating forces. A first orientation regulating force is recited to be in a

direction parallel to the orientation control element, and counteracts a second orientation regulating force when a voltage is applied between the pixel and opposed electrodes. The third regulating force orients the liquid crystal molecules in a predetermined direction different from the directions of the second and first orientation regulating forces. No analogous “third orientation regulating force” has been identified in the Yamahara reference.

In fact, the same “regulating force” has been cited from Yamahara as being analogous to *both* the first and the third orientation regulating forces featured in claim 33 of the present invention. On page 3, lines 17-19 of the Office Action, the Examiner asserts that Fig. 22 shows a “first orientation regulating force” that aligns the liquid crystal molecules 61 parallel to the sidewall of the control element. The Examiner though, then also states on page 4, lines 1-3, that this *same* alignment force to the liquid crystal molecules 61 in Fig. 22 is also a “third orientation regulating force.” The Examiner therefore, has not established a *prima facie* case of anticipation against the present invention, because the first and third orientation regulating forces of claim 33 of the present invention are recited as being separate and distinct from one another, whereas the same regulating force from the reference is asserted to be analogous to both of these separate forces.

The rejection is further deficient because all of the language actually recited by claim 33 has not been given full consideration. The Examiner asserts, on page 4, lines 1-3 of the Office Action, that the alleged “third orientation regulating force” in Yamahara is in “a predetermined direction different from the directions of said *second* orientation regulating

force as shown in Figs. 22(a) and 22(b).” Claim 33 of the present invention, on the other hand, does not merely recite that the direction of the third orientation regulating force is different from only the direction of the second orientation regulating force. In fact, claim 33 expressly recites that the direction of the third orientation regulating force is different from the directions of both the second orientation regulating force, and the first orientation regulating force.

The present invention clearly features that the respective directions of the three claimed regulating forces are different. As shown in at least one example from the present Specification, these three forces can be respectively from: (1) fine patterns near a pixel edge; (2) the pixel edge itself; and (3) a main bank, or slits, that are different from the fine patterns.

The cited reference, however, does not teach (or suggest) any significant regulating force analogous to force (1) of the present invention, that can be from the fine patterns near the pixel edge. Yamahara only teaches two regulating forces, as shown by the differentiation in orientation of the liquid crystal molecules on both sides of a structure that divides, and extends across, a pixel. The Examiner appears to have mistakenly counted as two separate forces the same parallel directions of the liquid crystal molecules 61 shown in Fig. 22 of Yamahara.

Claim 33 though, requires that the direction of the third orientation regulating force must be different from that of the first orientation regulating force (as well as the second). Accordingly, because the “first” and “third” regulating forces identified in

Yamahara actually have the same direction as one another, the Section 102 rejection of claim 33 should be withdrawn, and full consideration be given to all of the language of the claim.

The only amendments to claim 33 herein are to correct two typographical errors. The first correction is discussed above with respect to the Section 112 rejection. This restored language was already fully considered by the Examiner, and the Examiner's remarks thereto indicate that the Examiner understood the correct structure of the device. The other typographical correction herein is the removal of one of the double occurrences of the phrase "in a direction parallel to the orientation control element" that was inadvertently repeated in the second paragraph in claim 33. Applicants submit therefore, that both of these corrections address only matters of formality, and thus raise no new issues that would require further search or consideration. Accordingly, entry of these amendments should be both appropriate and necessary even after final rejection.

For all of the foregoing reasons, Applicants submit that this Application, including claims 8-12, and 33, is in condition for allowance, which is respectfully requested. The Examiner is invited to again contact the undersigned attorney if a further interview would expedite prosecution.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Josh C. Snider", with a stylized flourish at the end.

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